

REMARKS

Claims 1-12 are pending in the application. New claims 10-12 have been added.

In the Office Action Summary, the Examiner alleges that claims 1 and 3-9 are pending in the application. Please note, however, that claim 2 has never been amended, and thus claims 1-12 are currently pending in the application.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 1, 3-5, 8, and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sanshin (JP 2001-336407) in view of Hara (U.S. Patent 5,682,847) and further in view of Voll (U.S. Patent 4,713,704). This rejection is respectfully traversed.

In the Office Action, the Examiner acknowledges that Sanshin fails to disclose or suggest a second rocker arm being adapted to engage with the first rocker arm at an angle substantially perpendicular to a center longitudinal axis of the intake valve.

Therefore, the Examiner relies on the Hara reference and states that it discloses such a feature in Fig. 1.

Applicants, however, respectfully submit that Sanshin in view of Hara fails to disclose or suggest the claimed invention of the present application at least for the following reasons.

Sanshin discloses a first rocker arm 31a (or 31c) supported on a rocker shaft 33, and a second rocker arm 31b connectable to the first rocker arm 31a and supported on the rocker shaft 33. The first and second rocker arms are adapted to engage by an activation of plunger 55 disposed in the first rocker arm.

Hara discloses, in Fig. 1, a first rocker arm 5 (or 4) supported on a rocker shaft 6, and a second rocker arm 23 (or 22) supported on a lever shaft 24, which is an element independent from the rocker shaft 6.

Therefore, even assuming that Sanshin and Hara can be combined, which Applicants do not admit, one skilled in the art would, at best, modify the arrangements disclosed by Sanshin by replacing the second rocker arm 31b with the second rocker arm 23 of Hara by providing an additional rocker shaft (i.e., the lever shaft 24) in addition to the rocker shaft 33.

In view of this, Sanshin in view of Hara fails to disclose or suggest the “second rocker arm having an end thereof connectable to said first rocker arm and supported on said intake-side rocker shaft, the second rocker arm being adapted to engage with the first rocker arm at an angle substantially perpendicular to a center longitudinal axis of the intake valve,” (*emphasis added*) as required in claim 1.

Further, even assuming that one skilled in the art would be motivated to replace the second rocker arm 31b disclosed by Sanshin with the second rocker arm 23 disclosed by Hara by pivotally placing the second rocker arm 23 on the rocker shaft 33 of Sanshin, such a modification would render the valve system inoperative because the valve system disclosed by Hara, which has a piston member 16 and a return plunger 15 disposed in the rocker arm 9, operates only because the second rocker shaft 23 of Hara is disposed adjacent the periphery of the first rocker arm 5 as shown in Fig. 1 of Hara.

The Voll reference merely discloses, at best, a shaft which requires a higher stiffness has a larger diameter.

Therefore, the cited references, taken singly or in combination fail to disclose or suggest the “second rocker arm,” as recited in claim 1.

Claims 3-5, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

Independent claims 8 and 9 are allowable at least for the similar reasons as stated in the foregoing with regard to claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(a) Claims 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sanshin in view of Voll, and further in view of Konno (U.S. Patent 5,553,584). This rejection is respectfully traversed.

(b) Claims 6 and 8, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claims

Claims 10-12, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

Further, support for these new claims can be found in Figs. 3 and 4 of the present application.

A favorable determination by the Examiner and allowance of these claims is earnestly solicited.

Conclusion

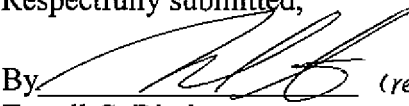
Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terrell C. Birch, Reg. No. 19,382 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By  (reg. # 46,417)
for Terrell C. Birch
Registration No.: 19,382
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant